

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Joseph Price (Reg. No. 25,124) on 10/01/2009.

The application has been amended as follows:

Cancel claim 6.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 09/27/2006 has been considered by the examiner.

Allowable Subject Matter

Claims 1-5 and 7-9 allowed.

The following is an examiner's statement of reasons for allowance:

Independent claims 1, 5 and 7 all similarly define features of a position calculation unit operable to extract each of the face parts from the input second face image and calculate the position of each of the face parts in the second face image; a reference position storage unit storing a reference position of each of the face parts in a reference face image; a default position storage unit storing a default position of each of the face parts for creating the first face image in the first face image; and a position determining unit operable to determine the positions at which the face parts for creating the first face image are arranged, based on a comparison result

between the calculated position of each of the face parts in the second face image and the reference position of a corresponding each of the face parts in the reference face image, and a comparison result of a distance between default positions with a distance between reference positions for particular two of the face parts. These features in combination with other features in claims, 1, 5 and 7 are not taught or suggested by the art of record.

Claims 2-4 and 8-9 are dependent upon claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cote, U.S.P.N. 6,731,302 B1, see figure 2 and abstract.

Rowe, U.S. Publication No. 2003/0202686 A1, see figure 5 and abstract.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Y. Lu whose telephone number is (571)272-7393. The examiner can normally be reached on 9AM -5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on 571-272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tom Y Lu/
Primary Examiner, Art Unit 2624